

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GUILLERMO BUZUA-AVILES,	)	1:05-cv-00243-AWI-TAG HC
	)	
Petitioner,	)	ORDER ADOPTING REPORT AND
	)	RECOMMENDATION (Doc. 4)
v.	)	
	)	ORDER REFERRING CASE BACK TO THE
	)	MAGISTRATE JUDGE FOR FURTHER
R.D. ANDREWS, Warden, et al.,	)	PROCEEDINGS
	)	
Respondents.	)	
_____	)	

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Petitioner is currently incarcerated at the Taft Correctional Institution, Taft, California.

**PROCEDURAL HISTORY**

On February 22, 2005, Petitioner filed the instant Petition pursuant to 28 U.S.C. § 2241, raising two claims: (1) improper calculation of his sentence by the district court; and (2) disparate treatment of illegal aliens in federal prisons. (Doc. 1, p. 3). On April 18, 2005, the United States Magistrate Judge issued a Report and Recommendation recommending that Ground One of the petition for writ of habeas corpus be dismissed. (Doc. 4). This Report and Recommendation

1 was served on all parties and contained notice that any objections were to be filed within thirty  
2 (30) days from the date of service of that order. On May 6, 2005, Petitioner timely filed his  
3 objections to the Report and Recommendation. (Doc. 5).

4 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted  
5 a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that  
6 the Magistrate Judge's Report and Recommendation is supported by the record and proper  
7 analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The Report and Recommendation, filed April 18, 2005 (Court Doc. 4), is  
10 ADOPTED IN FULL;  
11 2. Ground One in the petition for writ of habeas corpus (Doc. 1), is DISMISSED;  
12 and  
13 3. The matter is remanded to the United States Magistrate Judge for further  
14 proceedings as to the remaining Ground Two.

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17  
18 IT IS SO ORDERED.

19 **Dated: May 26, 2005**  
20 0m8i78

/s/ Anthony W. Ishii  
UNITED STATES DISTRICT JUDGE